

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-I-17-2014.15
Complainant	Shri Manishbhai Patel, M/s. Yogiraj Ice & Cold Storage, Near Hanumanji Mandir, Pij Chowkdi, Tundel, Tal & Dist : Nadiad
Respondent	Shri G S Desai, Deputy Engineer Vaso s/dn of MGVCCL.
Date of hearing	16.05.2014 at Vadodara

QUORUM	NAME
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Smt Medha M Marathe, MGVCCL

The complaint dated 08.05.2014 regarding slowness of meter.

On 16.05.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Manishbhai Patel appeared himself on behalf of M/s. Yogiraj Ice & Cold Storage, whereas Shri G S Desai, Deputy Engineer Vaso s/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. M/s. Yogiraj Ice & Cold Storage, Near Hanumanji Mandir, Pij Chowkdi, Tundel, Tal & Dist : Nadiad, having consumer No.06015 / 00296 /5.
2. On dated 23.04.2014, I/C Squad had checked the installation with “Accucheck” meter testing instrument, and found meter 48.52% slow.

Based on this report, Vaso s/dn of MGVCL has issued supplementary bill amounting to Rs.4,45,457.56 for 69581 units.

3. Notice dated 03.05.014 was issued by Deputy Engineer Vaso s/dn of MGVCL to pay supplementary bill within seven days otherwise connection will be disconnected.
4. The consumer had requested to give reason for slowness & MRI details along with lab testing report as supplementary bill issued is not acceptable.
5. The consumer has provided details of last two years energy consumption and argued that there is no slowness. Energy consumption of 10789 units in the month of February 2014 because closing of plants from 19.01.2014 to 03.02.2014 for the maintenance purpose.
6. The consumer has explained that the details of average consumption of the plant is varying from 900 to 1000 units and hence slowness is not acceptable. It is requested to keep the supplementary bill in abeyance till the case is not decided by the Competent Authority.

The complainant contended that the accuecheck result is not acceptable to him as there is no reduction in energy consumption for the period for which units are taken. Further, he had informed that plant was not in operation for the period 19.01.2014 to 03.02.2014 as maintenance work was taken on hand. If meter is 50% slow, energy consumption recorded in the month of March 2014 as well as April 2014 can be compared with the last few years' energy consumption of same period and noted no much variation. Also, he had

informed that two days factory was closed due to non-availability of power supply due to cyclone in the month of April 2014 in support of same, he had submitted details. He had requested to review the supplementary bill issued for 48.52% slowness.

The respondent contended that checking authority has recorded two different value of slowness one due to voltage ZERO in B phase and as per accuecheck testing, meter was found 48.06% slow whereas as per dial testing slowness was detected 48.52%. Therefore, it is remarked in checking sheet that MRI data to be considered for taking further action. On same day, MRI data was downloaded and accordingly to that supplementary bill for 48.52% slowness was issued on 23.4.2014 amounting to Rs.4,45,457.56 for 69581 units. Supplementary bill period was considered from 02.02.2014 to 23.04.2014 i.e. from day of B Phase PT voltage was missing from MRI data. It is also confirmed that there is no reduction observed in consumption pattern in the month of March and April 2014 slow but supplementary bill is issued. Due to objection raised by the consumer, rectification of fault was not carried out at installation.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per the MRI report and voltage failure B phase occurred on 02.02.2014 at 20.59 hours for duration of 43 minutes when B phase voltage was 131V from load survey - energy report. Day to day consumption data is available from 29.03.2014. The tampered event due to B Phase non-availability of PT is not permanent but it is occurring and resetting. Accordingly, it is concluded that slowness was found on 23.04.2014 during checking as at that movement B phase PT was missing and recording was not done by meter. Meter was not recording consumption correctly when B

phase PT was missing. From the MRI data, there is no tamper event recorded on 20th, 21st, 23rd, 25th & 26th March 2014 and 7th, 8th, 9th, 12th, 18th and 20th April 2014. Hence instead of considering supplementary bill for slowness, it is to be calculated on the basis of average consumption when meter was recording consumption correctly. Average consumption per day can be arrived considering consumption recorded on 25.03.2014 of 1123.03 units for the month of March 2014. Average consumption in the month of April 2014 is arrived to 1171 units considering consumption of dated 7/4/2014 & 8/4/2014. Accordingly, supplementary bill is to be issued for 81 days i.e. from 02.02.2014 to 21.04.2014 and further till the date of rectification of the installation.

In view of the above discussion, the Forum has opined that average bill on the basis of considering consumption of the day of corresponding month where tampered event was not recorded is to be issued for the period and supplementary bill issued considering 48.52% slowness for the period from 02.02.2014 till rectification of the installation is to be cancelled. If power failure data of the feeder feeding power supply to the consumer is available with sub-division / division / sub-station, period of power failure days/hours should not be considered for calculation of supplementary bill.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to cancel the supplementary bill issued to complainant Shri Manishbhai Patel, M/s. Yogiraj Ice & Cold Storage, Near Hanumanji Mandir, Pij Chowkdi, Tundel, Tal & Dist : Nadiad, issued for slowness and issue supplementary bill considering meter faulty on the basis of average consumption.

(Medha M Marathe)
Technical Member

(Harsha S Chauhan)
Independent Member

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>